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3/21/2011

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ESTHER CARRANZA, EMILIO
CARRANZA

Plaintiff,

v.

WYETH LLC, {An indirect wholly-owned
subsidiary of Pfizer Inc.} PHARMACIA &
UPJOHN COMPANY LLC (An indirect
wholly-owned subsidiary of Pfizer Inc.)

Defendants.

Case No. 5:04-CV-04161-JW

STIPULATION TO CONTINUE DATES
FOR FILING CASE MANAGEMENT
STATEMENT AND CASE
MANAGEMENT CONFERENCE,
DECLARATION OF PHILIP C.
BOURDETTE IN SUPPORT OF
STIPULATION AND {PROPOSED}
ORDER

Date: April 4, 2011

Time: 10:00 AM

Courtroom 8 – Judge James Ware

IT IS HEREBY STIPULATED BY & BETWEEN ALL PARTIES THAT:

1. The date for Filing a Case Management Statement is continued from
March 25, 2011 to June 10, 2011.

2. The date for the Case Management Conference is continued from April 4, 2011 to June 20, 2011.

Respectfully submitted,

DATED: March 16, 2011

BOURDETTE AND PARTNERS

By: /s/ Philip C. Bourdette
Philip C. Bourdette
Attorneys for Plaintiff

DATED: March 16, 2011

KAYE SCHOLER LLP

By: /s/ Wendy S. Dowse
Wendy S. Dowse
Attorneys for Defendants

SUPPORTING DECLARATION OF PHILIP C. BOURDETTE

I, Philip C. Bourdette, declare that:

1. I am a resident of the State of California and licensed to practice in all the Courts of California and admitted in the United States District Court Northern District of California. I am an attorney of record for Plaintiffs. If called as a witness I could and would testify truthfully as to the facts set forth below:

2. Bourdette & Partners has associated in Simona Farrise, The Farrise Law Firm, as lead trial counsel in all three cases currently pending in the San Jose Division of the Northern District of California, fifteen cases currently pending in the Fresno Division of the Eastern

District of California and five others still pending in the Multi District Litigation Court in Little Rock, Arkansas. Before Ms. Farrise can make an appearance, pursuant to State Bar regulations our clients have to sign addenda to our retainer agreement authorizing this association and setting forth the division of fees. The calendars set by the courts will impact Ms. Farrise's calendar so she needs to be part of the process to set all dates in the Case Management Statements and the Case Management Conferences in San Jose and/or Scheduling Conferences in Fresno.

3. Bourdette & Partners has a priority trial (Elder Abuse) set for May 9, 2011 in Tulare County Superior Court. The Discovery deadline is April 8, 2011 and is proceeding at a feverish pace. The trial is expected to take approximately eight court days. Since I am doing most of the pretrial work, I lack time to do anything else, including meet and confer and prepare a Joint Case Management Statement.

4. It is for these reasons that we proposed and defendants agreed to the continuance requested above.


I declare under penalty of perjury and under the laws of the State of California that the foregoing is true. Executed this 17th day of March, 2011.

/s/ Philip C. Bourdette
Philip C. Bourdette

IT IS SO ORDERED:

The parties' Stipulation to continue the Conference for these related cases for nearly sixty days is DENIED because the parties have not articulated good cause sufficient to justify such an extended continuance.

Dated: March 21, 2011


Honorable James Ware, Chief Judge
United States District Court
Northern District of California